

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR UTILITY PATENT APPLICATION (Includes PCT)**

Attorney Docket No.

REC'D PCTO 07 OCT 2004

As a below named inventor, I hereby declare that:

Our residence, post office address and citizenship are as stated below next to my name; that

We believe we are the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **ADJUSTABLE HEATER FOR ACQUARIA**

the specification of which (check one): ☒ [X] is attached hereto.

☐ [] was filed on _____ as Application Serial No. _____.

☐ [] was filed as PCT international application no. _____ and was

amended under PCT Article 19 on _____ (if applicable).

We hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

We do not know and do not believe the claimed invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application.

We hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
<u>VI2002A000086</u>	<u>ITALY</u>	<u>07/05/2002</u>	<input checked="" type="checkbox"/> [X]	<input type="checkbox"/> []
(Numbr)	(Country)	Day/Month/Year Filed	Yes	No
<u>PCT/IB2003/001788</u>	<u>PCT</u>	<u>07/05/2003</u>	<input checked="" type="checkbox"/> [X]	<input type="checkbox"/> []
(Numbr)	(Country)	Day/Month/Year Filed	Yes	No

We hereby claim the benefit under Title 35, United States Code, §119 (e) of any United States provisional application(s) listed below:

Application No.	Day/Month/Year Filed	Application No.	Day/Month/Year Filed
-----------------	----------------------	-----------------	----------------------

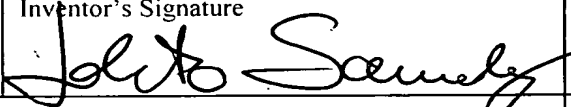
We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status (patented, pending, abandoned)
------------------------	-------------	---------------------------------------

We hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Lawrence R. Radanovic, Reg. No. ~~23,077~~; Richard H. Tushin, Reg. No. ~~27,297~~; Donald N. Huff, Reg. No. ~~27,564~~; John P. DeLuca, Reg. No. ~~25,505~~; Charles Rutherford, Reg. No. ~~18,933~~; Robert L. Kelly, Reg. No. ~~31,843~~; Ernest E. Helms, Reg. No. ~~29,721~~; and William F. Kolakowski, Reg. No. ~~41,908~~, all of Dykema Gossett, P.L.L.C. Direct all telephone calls to telephone no. (202) 522-8600 and faxes to (202) 522-8669.

Address all correspondence to Dykema Gossett, PLLC, Suite 300 West, 1300 I Street, N.W., Washington, D.C. 20005- 3306.

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First Joint Inventor <u>LOLATO, Samuele</u>	Inventor's Signature 	Date 30 SET. 2004
Residence: Via Trento 6/A - 36020 Pove del Grappa, ITALY		Citizenship Italian
Post Office Address: the same		

Full Name of Second Joint Inventor	Inventor's Signature	Date
Residence:		Citizenship ITALY
Post Office Address: the same		

Full Name of Third Joint Inventor	Inventor's Signature	Date
Residence:		Citizenship ITALY
Post Office Address: the same		

Full Name of fourth Joint Inventor	Inventor's Signature	Date
Residence:		Citizenship ITALY
Post Office Address: the same		

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS - SMALL BUSINESS CONCERN			Docket No.
Serial No.	Filing Date	Patent No.	Issue Date
Applicant/ Patentee: EDEN SRL			
Invention: ADJUSTABLE HEATER FOR AQUARIA			
<p>I hereby declare that I am:</p> <p><input type="checkbox"/> the owner of the small business concern identified below:</p> <p><input checked="" type="checkbox"/> an official of the small business concern empowered to act on behalf of the concern identified below:</p> <p>NAME OF CONCERN: <u>EDEN SRL</u></p> <p>ADDRESS OF CONCERN: <u>Via dell'Industria, 16 - 36050 CARTIGLIANO, ITALY</u></p> <p>I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR part 121 and 37 CFR 1.27(a)(2) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.</p> <p>I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:</p> <p><input checked="" type="checkbox"/> the specification filed herewith with title as listed above.</p> <p><input type="checkbox"/> the application identified above.</p> <p><input type="checkbox"/> the patent identified above.</p> <p>If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small entity person under 37 CFR 1.27(a)(1) or by any concern which would not qualify as a small business concern under 37 CFR 1.27(a)(2) or a nonprofit organization under 37 CFR 1.27(a)(3).</p>			

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern or organization exists.
☐ each such person, concern or organization is listed below.

FULL NAME _____
 ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____
 ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____
 ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____
 ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Separate verified statements are recommended from each named person, concern or organization having rights to the invention averring to their status as small entities.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.27(g)(2))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: CASAROTTO Giovanni

TITLE OF PERSON SIGNING President

OTHER THAN OWNER: _____

ADDRESS OF PERSON SIGNING: Via dell'Industria, 16
36050 Cartigliano, Italy

SIGNATURE:  DATE: 30 SET. 2004